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**Special Instructions:** Here is the proposed amendment, per our conversation.  
Please review at your earliest convenience

**Operator:** \_\_\_\_\_

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**DRAFT**PATENT  
Attorney Docket No. 52814.000004**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****FAX RECEIVED**

In re Patent Application of: )  
Randall B. METCALF )  
Serial No.: 08/749,766 )  
Filed: November 20, 1996 )  
 )  
Examiner: M. Harvey  
Group Art Unit: 2743

MAY 25 1999

Group 2700

For: **SOUND SYSTEM AND METHOD FOR CAPTURING AND REPRODUCING  
SOUNDS ORIGINATING FROM A PLUARLITY OF SOUND SOURCES**

**PETITION FOR ONE-MONTH EXTENSION OF TIME  
AND RESPONSE TO PAPER NOS. 14 and 15**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant respectfully petitions the Commissioner of Patents and Trademarks for a one-month extension of time until June 1, 1999, to respond to the Advisory Action and Interview Summary mailed on March 9, 1999, in response to the Notice of Appeal filed March 1, 1999. Submitted herewith is a check for \$55.00 (small entity) to cover the fee for the extension under 37 C.F.R. § 1.17. Any deficiency in or overpayment of this fee should be charged or credited to Deposit Account No. 50-0206. A duplicate copy of this form is enclosed.

**RESPONSE**

Please amend the above-referenced patent application as follows:

**IN THE CLAIMS**

Please cancel claims 3, 11, 16 and 20.

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Please amend claims 1, 9, 10, 15, 19, and 23-34 as follows:

1. (Amended) A sound system for capturing and reproducing sounds produced by a plurality of sound sources, comprising:

means for separately receiving sounds produced by the plurality of sound sources;

means for converting the separately received sounds to a plurality of separate audio signals without mixing the audio signals;

means for separately storing the plurality of separate audio signals without mixing the audio signals;

means for separately retrieving the stored audio signals;

an amplification network comprising a plurality of amplifier means, with separate amplifier means for separately amplifying each of the separate audio signals; [and]

a loudspeaker network comprising a plurality of loudspeaker means, with separate loudspeaker means for reproducing the separately amplified audio signals; and

a dynamic control means for individually controlling the relative amplitude of the separate audio signals for a given power level based on predetermined criteria.

9. (Amended) A sound system for recording and reproducing sounds produced by a plurality of sound sources, comprising:

means for separately receiving sounds produced by the plurality of sound sources;

means for converting the separately received sounds to a plurality of separate audio signals without mixing the audio signals;

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a recording medium;

means for separately storing the plurality of separate audio signals on the recording medium without mixing the audio signals;

means for reading the stored audio signals from the recording medium and recreating the plurality of separate audio signals;

an amplification network comprising a plurality of amplifier means, with separate amplifier means for separately amplifying each of the recreated plurality of separate audio signals;

a loudspeaker network comprising a plurality of loudspeaker means, with separate loudspeaker means for separately reproducing the amplified audio signals; and

[a dynamic controller for separately dynamically controlling the loudspeaker network and the amplification network according to predetermined control schemes that takes into account the change in dynamic relationship among the separate audio signals that results from a change in the receiver levels of the audio signal]

a dynamic control means for individually controlling the relative amplitudes of the separate audio signals for a given system power level based on predetermined criteria.

10. (Amended) A system for reproducing sounds produced by a plurality of sound sources, comprising:

means for separately receiving a plurality of audio signals produced by the plurality of sounds sources without mixing the audio signals;

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an amplification network comprising a plurality of amplifier means, with separate amplifier means for amplifying each of the plurality of audio signals; [and]

a loudspeaker network comprising a plurality of customized loudspeaker means, with separate loudspeaker means for separately reproducing each of the separately amplified audio signals; and

a dynamic control means for individually controlling the relative amplitudes of the separate audio signals for a given system power level based on predetermined criteria.

15. (Amended) A method of recording and reproducing sound comprising the steps of:

capturing a plurality of sounds from a plurality of sound sources;

converting each of the plurality of sounds to an audio signal;

separately recording each of the audio signals;

separately retrieving each of the audio signals;

separately amplifying each of the plurality of audio signals; [and]

separately supplying each of the audio signals to a loudspeaker system to reproduce the original plurality of sounds; and

a dynamic control means for individually controlling the relative amplitudes of the separate audio signals for a given system power level based on predetermined criteria.

19. (Amended) A method of sound reproduction comprising the steps of:

capturing a plurality of sounds from a plurality of sound sources;

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converting each of the plurality of sounds to an audio signal;  
separately transmitting each of the audio signals without mixing the audio signals;  
separately amplifying each of the plurality of audio signals; [and]  
separately supplying each of the audio signals to a loudspeaker system to  
reproduce the original plurality of sounds; and  
a dynamic control means for individually controlling the relative amplitudes of the  
separate audio signals for a given system power level based on predetermined criteria.

23. (Amended) A sound system for capturing and reproducing sounds produced by a plurality of sound sources, comprising:

means for separately receiving sounds produced by the plurality of sound sources, each receiving means associated with a single sound source;

means for converting the separately received sounds to a plurality of separate audio signals without mixing the audio signals;

means for simultaneously and separately storing the plurality of separate audio signals without mixing the audio signals;

means for separately retrieving the stored audio signals;

an amplification network comprising a plurality of amplifier means, with separate amplifier means for separately amplifying each of the separate audio signals; and

a loudspeaker network comprising a plurality of loudspeaker means, with separate loudspeaker means for reproducing the separately amplified audio signals, and

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a dynamic control means for individually controlling the relative amplitudes of the separate audio signals for a given system power level based on predetermined criteria.

24. (Amended) A sound system for capturing and reproducing sounds produced by a plurality of sound sources, comprising:

means for separately receiving sounds produced by the plurality of sound sources, each receiving means being associated with a single sound source;

means for converting the separately received sounds to a plurality of separate audio signals without mixing the audio signals;

means for separately storing the plurality of separate audio signals without mixing the audio signals;

means for simultaneously and separately retrieving a plurality of the stored audio signals;

an amplification network comprising a plurality of amplifier means, with separate amplifier means for separately amplifying each of the separate audio signals; [and]

a loudspeaker network comprising a plurality of loudspeaker means, with separate loudspeaker means for reproducing the separately amplified audio signals, and

a dynamic control means for individually controlling the relative amplitudes of the separate audio signals for a given system power level based on predetermined criteria.

25. (Amended) A sound system for capturing and reproducing sounds produced by a plurality of sound sources, comprising:

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means for separately receiving sounds produced by the plurality of sound sources, each receiving means being associated with a single sound source;

means for converting the separately received sounds to a plurality of separate audio signals without mixing the audio signals;

means for separately storing the plurality of separate audio signals without mixing the audio signals;

means for separately retrieving a plurality of the stored audio signals;

an amplification network comprising a plurality of amplifier means, with separate amplifier means for simultaneously and separately amplifying each of the separate audio signals;  
[and]

a loudspeaker network comprising a plurality of loudspeaker means, with separate loudspeaker means for reproducing the separately amplified audio signals, and

a dynamic control means for individually controlling the relative amplitudes of the separate audio signals for a given system power level based on predetermined criteria.

26. (Amended) A sound system for recording and reproducing sounds produced by a plurality of sound sources, comprising:

means for separately receiving sounds produced by the plurality of sound sources, each receiving means being associated with a single sound source;

means for converting the separately received sounds to a plurality of separate audio signals without mixing the audio signals;

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a recording medium;

means for simultaneously and separately storing the plurality of separate audio signals on the recording medium without mixing the audio signals;

means for reading the stored audio signals from the recording medium and recreating the plurality of separate audio signals;

an amplification network comprising a plurality of amplifier means, with separate amplifier means for separately amplifying each of the recreated plurality of separate audio signals;

a loudspeaker network comprising a plurality of loudspeaker means, with separate loudspeaker means for separately reproducing the amplified audio signals; and

a dynamic control means for individually controlling the relative amplitude of the separate audio signals for a given power level based on predetermined criteria [a dynamic controller for separately dynamically controlling the loudspeaker network and the amplification network according to predetermined control schemes that takes into account the change in dynamic relationship among the separate audio signals that results from a change in the receiver levels of the audio signal].

27. (Amended) A sound system for recording and reproducing sounds produced by a plurality of sound sources, comprising:

means for separately receiving sounds produced by the plurality of sound sources, each receiving means being associated with a single sound source;

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means for converting the separately received sounds to a plurality of separate audio signals without mixing the audio signals;

a recording medium;

means for separately storing the plurality of separate audio signals on the recording medium without mixing the audio signals;

means for reading the stored audio signals from the recording medium simultaneously and recreating the plurality of separate audio signals;

an amplification network comprising a plurality of amplifier means, with separate amplifier means for separately amplifying each of the recreated plurality of separate audio signals;

a loudspeaker network comprising a plurality of loudspeaker means, with separate loudspeaker means for separately reproducing the amplified audio signals; and

a dynamic control means for individually controlling the relative amplitude of the separate audio signals for a given power level based on predetermined criteria [a dynamic controller for separately dynamically controlling the loudspeaker network and the amplification network according to predetermined control schemes that takes into account the change in dynamic relationship among the separate audio signals that results from a change in the receiver levels of the audio signal].

28. (Amended) A sound system for recording and reproducing sounds produced by a plurality of sound sources, comprising:

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means for separately receiving sounds produced by the plurality of sound sources, each receiving means being associated with a single sound source;

means for converting the separately received sounds to a plurality of separate audio signals without mixing the audio signals;

a recording medium;

means for separately storing the plurality of separate audio signals on the recording medium without mixing the audio signals;

means for reading the stored audio signals from the recording medium and recreating the plurality of separate audio signals;

an amplification network comprising a plurality of amplifier means, with separate amplifier means for simultaneously and separately amplifying each of the recreated plurality of separate audio signals;

a loudspeaker network comprising a plurality of loudspeaker means, with separate loudspeaker means for separately reproducing the amplified audio signals; and

a dynamic control means for individually controlling the relative amplitudes of the separate audio signals for a given system power level based on predetermined criteria [a dynamic controller for separately dynamically controlling the loudspeaker network and the amplification network according to predetermined control schemes that takes into account the change in dynamic relationship among the separate audio signals that results from a change in the receiver levels of the audio signal].

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29. (Amended) A system for reproducing sounds produced by a plurality of sound sources, comprising:

means for separately receiving a plurality of audio signals produced by the plurality of sound sources without mixing the audio signals, each receiving means being associated with a single sound source;

an amplification network comprising a plurality of amplifier means, with separate amplifier means for simultaneously amplifying each of the plurality of audio signals; [and]

a loudspeaker network comprising a plurality of [customized] loudspeaker means, with separate loudspeaker means for separately reproducing each of the separately amplified audio signals; and

a dynamic control means for individually controlling the relative amplitudes of the separate audio signals for a given system power level based on predetermined criteria.

30. A method of recording and reproducing sound comprising the steps of:

capturing a plurality of sounds from a plurality of sound sources;

converting each of the plurality of sounds to an audio signal;

simultaneously and separately recording each of the audio signals;

separately retrieving each of the audio signals;

separately amplifying each of the plurality of audio signals; [and]

separately supplying each of the audio signals to a loudspeaker system to reproduce the original plurality of sounds, and

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a dynamic control means for individually controlling the relative amplitudes of the separate audio signals for a given system power level based on predetermined criteria.

31. A method of recording and reproducing sound comprising the steps of:

capturing a plurality of sounds from a plurality of sound sources;

converting each of the plurality of sounds to an audio signal;

separately recording each of the audio signals;

simultaneously and separately retrieving each of the audio signals;

separately amplifying each of the plurality of audio signals; [and]

separately supplying each of the audio signals to a loudspeaker system to reproduce the original plurality of sounds, and

a dynamic control means for individually controlling the relative amplitudes of the separate audio signals for a given system power level based on predetermined criteria.

32. A method of recording and reproducing sound comprising the steps of:

capturing a plurality of sounds from a plurality of sound sources;

converting each of the plurality of sounds to an audio signal;

separately recording each of the audio signals;

separately retrieving each of the audio signals;

simultaneously and separately amplifying each of the plurality of audio signals; [and]

separately supplying each of the audio signals to a loudspeaker system to reproduce the original plurality of sounds, and

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a dynamic control means for individually controlling the relative amplitudes of the separate audio signals for a given system power level based on predetermined criteria.

33. A method of sound reproduction comprising the steps of:

capturing a plurality of sounds from a plurality of sound sources;

converting each of the plurality of sounds to an audio signal;

simultaneously and separately transmitting each of the audio signals without mixing the audio signals;

separately amplifying each of the plurality of audio signals; [and]

separately supplying each of the audio signals to a loudspeaker system to reproduce the original plurality of sounds, and

a dynamic control means for individually controlling the relative amplitudes of the separate audio signals for a given system power level based on predetermined criteria.

34. A method of sound reproduction comprising the steps of:

capturing a plurality of sounds from a plurality of sound sources;

converting each of the plurality of sounds to an audio signal;

separately transmitting each of the audio signals without mixing the audio signals;

simultaneously and separately amplifying each of the plurality of audio signals; and

separately supplying each of the audio signals to a loudspeaker system to reproduce the original plurality of sounds, and

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a dynamic control means for individually controlling the relative amplitudes of the separate audio signals for a given system power level based on predetermined criteria

**REMARKS**

Prior to addressing the merits of the Office Action, the undersigned attorney would like to thank Examiner Harvey for the courtesies extended during the telephone interview on May 13, 1999. During the interview, the Examiner agreed that the language discussed in the interview of November 10, 1998, overcame the prior art of record. As the Applicant pointed out in the November 10, 1998 interview, the Murry and Paroutaud references relied on in the rejection do not disclose the dynamic control means as set forth in the enclosed amendments. The Examiner agreed in that interview that an amendment of the type proposed in the interview (see Interview Summary) clarified the Applicant's position with respect to the dynamic control aspect of the invention and overcame the prior art. Applicant has amended the claims to include the language agreed to by the Examiner in the previous interview.

Therefore, Applicant requests reconsideration of all grounds of rejection.

Claims 1-34 are pending in this application. Claims 1-34 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 3,710,034 to Murry (hereinafter referred to as Murry) in view of U.S. Patent No. 5,315,060 to Paroutaud (hereinafter referred to as Paroutaud).

These claims are all believed allowable in light of the remarks above and the amendments to the claims.

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CONCLUSION

In view of the foregoing, applicant respectfully requests entry of the amendments. The application is believed to be in condition for allowance and notification thereof is respectfully requested. Should any outstanding issues remain, the Examiner is invited to telephone the undersigned at 202-955-1869.

Respectfully submitted,

**HUNTON & WILLIAMS**

Dated: May 14, 1999

By: \_\_\_\_\_

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